

REMARKS

This Application has been carefully reviewed in light of the Office Action mailed August 27, 2003. In order to advance prosecution of this case, Applicant presents the following arguments. Applicant also adds new Claims 23-40 for the Examiner's consideration. Applicant respectfully requests reconsideration and favorable action in this case.

Section 102 Rejections

The Examiner rejects Claims 1-2, 4-7, 10, 17-18, 20, and 22 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,002,491 issued to Abrahamson et al. ("Abrahamson"). Claim 1 recites "if the current response is valid, visually indicating to a user of the remote unit that the current response is valid." Claim 17 recites "a display ... operable to visually indicate to the users whether their respective current responses are valid." *Abrahamson* fails to describe, expressly or inherently, the quoted limitations of Claims 1 and 17. Accordingly, Applicant respectfully submits that *Abrahamson* fails to anticipate the rejected claims.

Abrahamson discloses indicating whether an answer is correct (col. 12, lines 48-50), but does not describe, expressly or inherently, determining whether a response is "valid" as that term is used in the claims. Nor does the determination of whether a response is correct inherently include the determination of whether it is valid. Although a correct response must be valid, an incorrect response may be valid (corresponding to a possible answer) or not valid, so the determination of correctness does not inherently include determining whether a response is valid.

Furthermore, the quoted limitations would not be obvious from the teaching of *Abrahamson*, nor would there be any

motivation from *Abrahamson* to make such a modification. As described in *Abrahamson*, col. 12, lines 33-47, the student interface program acts as an interface between the student's computer and the teacher's computer, allowing the teacher to perform certain monitoring functions and provide feedback. Although there is a disclosed reason for indicating whether an answer is correct, there is no explanation of why it would be useful to provide a visual indication that a response is valid to a student in response to the teacher's computer receiving a response from the student's computer. Thus, it would not be obvious to modify the teaching of *Abrahamson* to produce the quoted limitation.

In addition, *Abrahamson* fails to disclose the additional limitations of the dependent claims, which are also allowable at least by virtue of their dependence on Claims 1 and 17. For example, Claim 2 recites "wherein the visually indicating steps are performed using a single display simultaneously viewable by all users of the remote units." There is no description, express or inherent, of providing any visual indication on the overhead screen that a response received from an individual student is valid. Nor does *Abrahamson* show any contemplation of the reasons that such a modification might be useful, such as reducing the expense of individual student displays (see present application, col. 4, lines 20-28). For at least the above reasons, Applicant respectfully submits that the claims rejected as being anticipated by *Abrahamson* are allowable over *Abrahamson*, and accordingly, Applicant respectfully requests reconsideration and allowance of Claims 1-2, 4-7, 10, 17-18, 20, and 22.

Section 103 Rejections

The Examiner rejects Claims 3 and 19 under 35 U.S.C. § 103(a) as being unpatentable over *Abrahamson*. Claims 3 and 19 depend on Claims 1 and 17, respectively, which are allowable for at least the reasons stated above. Furthermore, Applicant respectfully traverses the Examiner's assertion that the particular subject matter of Claims 3 and 19 is well known in the art in the form of adaptive learning, and, pursuant to MPEP § 2144.03, respectfully requests the Examiner to cite a reference supporting the Examiner's assertion. For at least these reasons, Claims 3 and 19 are allowable over *Abrahamson*, and accordingly, Applicant respectfully requests reconsideration and allowance of Claims 3 and 19.

The Examiner rejects Claims 8-9, 11-16 and 21 under 35 U.S.C. § 103(a) as being unpatentable over *Abrahamson* in view of U.S. Patent No. 6,302,698 issued to Ziv-El ("*Ziv-El*"). Amended Claim 11 recites "a first visible indication operable to be displayed in the section when a current response received from the remote unit corresponding to the section is not a valid response for a current question." For reasons analogous to those presented above in conjunction with Claims 1 and 17, *Abrahamson* fails to teach the quoted limitations of amended Claim 11. *Ziv-El* also fails to teach, suggest, or the quoted limitation. While *Ziv-El* does include an indication of whether the answer is correct and of how many tries the student has made (Fig. 14B), such a display does not implicitly or explicitly show a determination of whether a current response is valid nor of whether it matches a previous response. As noted by Applicant above, determining whether an answer is correct does not require a determination of validity, much less a correspondence to a particular answer. Nor does a counter of the number of responses submitted

implicitly or explicitly indicate whether those responses are valid. Furthermore, the *Abrahamson - Ziv-El* combination fails to provide any motivation for modifying the respective teachings to produce the quoted limitations, and particularly fails to show why determining whether a response is valid and corresponds to a previous response would be useful for a teacher display (Fig. 14B).

The deficiencies of the *Abrahamson - Ziv-El* combination become even more apparent with respect for the rejected dependent claims. For example, Claim 12 recites "wherein the graphical user interface appears on a single display simultaneously viewable by all of the users of the remote units." The *Abrahamson - Ziv-El* combination fails to show any sort of visual indication with respect to whether current responses from a particular remote unit are valid or whether they corresponds to a previous answer. Furthermore, there is no motivation presented in either reference for displaying information from a teacher's display, such as that in Fig. 14B of *Ziv-El*, in front of an entire class.

Applicant respectfully submits that Claim 11 is allowable for at least the reasons stated above. Each of the other claims rejected in this section depends directly or indirectly on a claim that is allowable at least for reasons stated above. For at least these reasons, the claims rejected in this section are allowable over the cited references. Accordingly, Applicant respectfully requests reconsideration and allowance of Claims 8-9, 11-16, and 21.

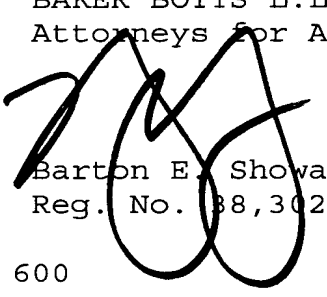
Conclusions

Applicant has made an earnest attempt to place this case in condition for allowance. For the foregoing reasons, and for other reasons clearly apparent, Applicant respectfully requests full allowance of all pending Claims. If the Examiner feels that a telephone conference or an interview would advance prosecution of this Application in any manner, the undersigned attorney for Applicant stands ready to conduct such a conference at the convenience of the Examiner.

The Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

BAKER BOTTS L.L.P.
Attorneys for Applicant



Barton E. Showalter
Reg. No. 38,302

2001 Ross Avenue, Suite 600
Dallas, Texas 75201-2980
(214) 953-6509

Date: Nov. 26, 2003

CORRESPONDENCE ADDRESS:

Customer Number:

05073